

REMARKS

The Patent Examiner's time and cooperation in her interview with Applicant's attorney on December 21, 2009, is, of course, appreciated.

The present invention relates to a control for the manufacture of paper padding. That machine includes a drive motor having a cutting device and a shaping device to form a piece of padding from a paper web and to cut the padding off at a desired length.

The control includes an input means or button to input the desired length of padding. As is clear from the third paragraph of the body of both claim 1 and claim 14, the activation of the input means starts the drive motor whereas the deactivation of the drive means stops the drive motor and triggers a cutting procedure. Consequently, as is clearly set forth in claims 1 and 14, the time period that the input means is activated corresponds to the length of the padding produced. For example, the button could be held down for a period of time to produce 11.7 inches of padding or whatever variable length is desired.

The control unit automatically stores the length of the padding just produced in memory or, in the example in the preceding paragraph, 11.7 inches. That length is then available for a further call up upon a momentary activation of the input means so that the length of the padding just produced is automatically reproduced on request.

In other words, if the original padding produced were 11.7 inches, subsequent momentary activation of the input means would produce lengths also equal to 11.7 inches. Furthermore, both claims 1 and 14 have been carefully amended in order to underscore and stress this feature of Applicant's invention.

The Patent Examiner, however, has rejected all of the previously submitted claims as anticipated by U.S. Patent Application Publication 2003/0114288 to Harding. Applicant,

however, respectfully submits that the Harding reference neither anticipates Applicant's invention, nor renders it obvious in view of the independent claims as currently amended.

More specifically, the Harding reference admittedly discloses a machine which produces paper padding. The controller for the Harding machine also includes a plurality of buttons corresponding to different lengths of padding. Consequently, if the button corresponding to one foot of padding is depressed, the Harding machine produces one foot worth of paper padding. Conversely, if the button corresponding to three feet of paper padding is depressed, the Harding machine produces three feet of paper padding.

Additionally, the Harding patent also stores the total length of paper padding produced, primarily for billing purposes; see paragraph [0081] of Harding.

What Harding does not teach or suggest, however, is Applicant's invention in which an input means 18, once activated, starts the padding machine to produce paper padding. Continued activation of the input means continues to produce paper padding until the input means is deactivated. When that occurs, the motor which produces the padding machine is stopped and the cutting mechanism activated to cut off the produced paper padding. As such, the length of paper padding is directly proportional or corresponds to the length of time of activation of the input means.

The Harding reference, however, simply shows no such input means which allows for the continuous manufacture of paper padding as long as the input means is activated and, conversely, terminates the production of the padding machine upon deactivation of the input means.

Likewise, the Harding reference fails to disclose Applicant's invention in which a subsequent momentary closure of the input means automatically reproduces the same length of padding previously produced by the padding machine. Although the Harding reference

admittedly discloses the provision of a plurality of buttons of fixed length padding, each of which may be depressed to produce that particular length of padding, Harding has absolutely no mechanism to repeatedly produce the same variable length of paper padding as is possible with Applicant's invention.

Claims 1 and 14, i.e. the two independent claims in the instant application, clearly define the input means as continuously activating the motor until the means is deactivated, at which time the motor is stopped and the cutting means activated. Likewise, both claims 1 and 14 positively define the storage of the variable length of padding into memory for call up upon momentary activation of the input means in order to reproduce the same variable length of padding.

Consequently, Applicant respectfully submits that claims 1 and 14, together with their dependent claims, patentably define Applicant's invention over the prior art of record and are, therefore, allowable. Such action is respectfully solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1180.

Dated: January 4, 2010

Respectfully submitted,

Electronic Signature: /Douglas W. Sprinkle/  
Douglas W. Sprinkle

Registration No.: 27,394  
GIFFORD, KRASS, SPRINKLE, ANDERSON  
& CITKOWSKI, P.C.

2701 Troy Center Drive, Suite 330  
Post Office Box 7021  
Troy, Michigan 48007-7021  
(248) 647-6000

Attorney for Applicant